

Declaratory Res. No. 578

Condemnation of a right of
way for sewer purposes across
through & under the south six (6)
ft. of Lot #42, & the north 10 ft. of Lot #43,
City of Place Addition, also across
through & under the west twelve
ft. of the east 16.8 ft. of that portion
on the S. 1/4 quarter of Sec. 3, Township 30
N. Range 12, East lying N. of Leesburg
Road, north of Main St. & south of
Montclair Avenue.

adopted - Oct. 20, 1927

Confirmed as mod. Nov. 17, 1927

ass. Res. Ord. Nov 17, 1927

ALL ACTION RESOLVED

DECLARATORY RESOLUTION NO. 578-1927.

For the condemnation of a right of way for sewer purposes across, through and under the south six (6) feet of Lot Number 42 and the north six (6) feet of Lot Number 43 Orff's Place Addition; also across, through and under the west twelve (12) feet of the east one hundred and sixty-eight (168) feet of that portion of the Southwest Quarter of Section 3, Township 30 North, Range 12 East lying west of the Leesburg Road (so-called); north of Main Street and south of Montclair Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary and advisable to condemn a right of way for sewer purposes across, through and under the south six (6) feet of Lot Number 42 and the north six (6) feet of Lot Number 43 Orff's Place Addition; ~~also across, through and under the west twelve (12) feet of the east one hundred and sixty-eight (168) feet of that portion of the Southwest Quarter of Section 3, Township 30 North, Range 12 East lying west of the Leesburg Road (so-called); north of Main Street and south of Montclair Avenue.~~

All as shown by a plan of such proposed condemnation of a portions of lots and tracts of land for a right of way for sewerage purposes as above described now on file in the office of the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the condemnation of the above described portions of lots and tracts of land for a right of way for sewerage purposes is described as all lots and lands not occupied by streets and alleys lying south of the north line of Orff's Place Addition; west of the Leesburgh Road (so-called); north of Main Street and east of Lindenwood Cemetery.

The cost of said condemning of right of ways for sewerage purposes as above described and all expenses connected therewith shall be assessed against the property beneficially affected thereby.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal annual installments with interest at the rate of five (5) per cent per annum. Under no circumstances shall the City of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property or for the payment of any bond, bonds, certificate or certificates issued in payment for such property damages, except for such moneys as shall have been actually received by the City from the assessments for such damages to property or such moneys as said City is by said above entitled act required to pay. All proceedings had in the making of said improvements, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of the above described streets and alleys and lots and lands affected by the condemnation of the above described sewer right of way being situated in the Southwest Quarter of Section 3, Township 30 North, Range 12 East and within the corporate limits of the City of Fort Wayne, Indiana.

Adopted this 20th day of October, 1927.

ALL ACTION RESCINDED

December 1, 1927.

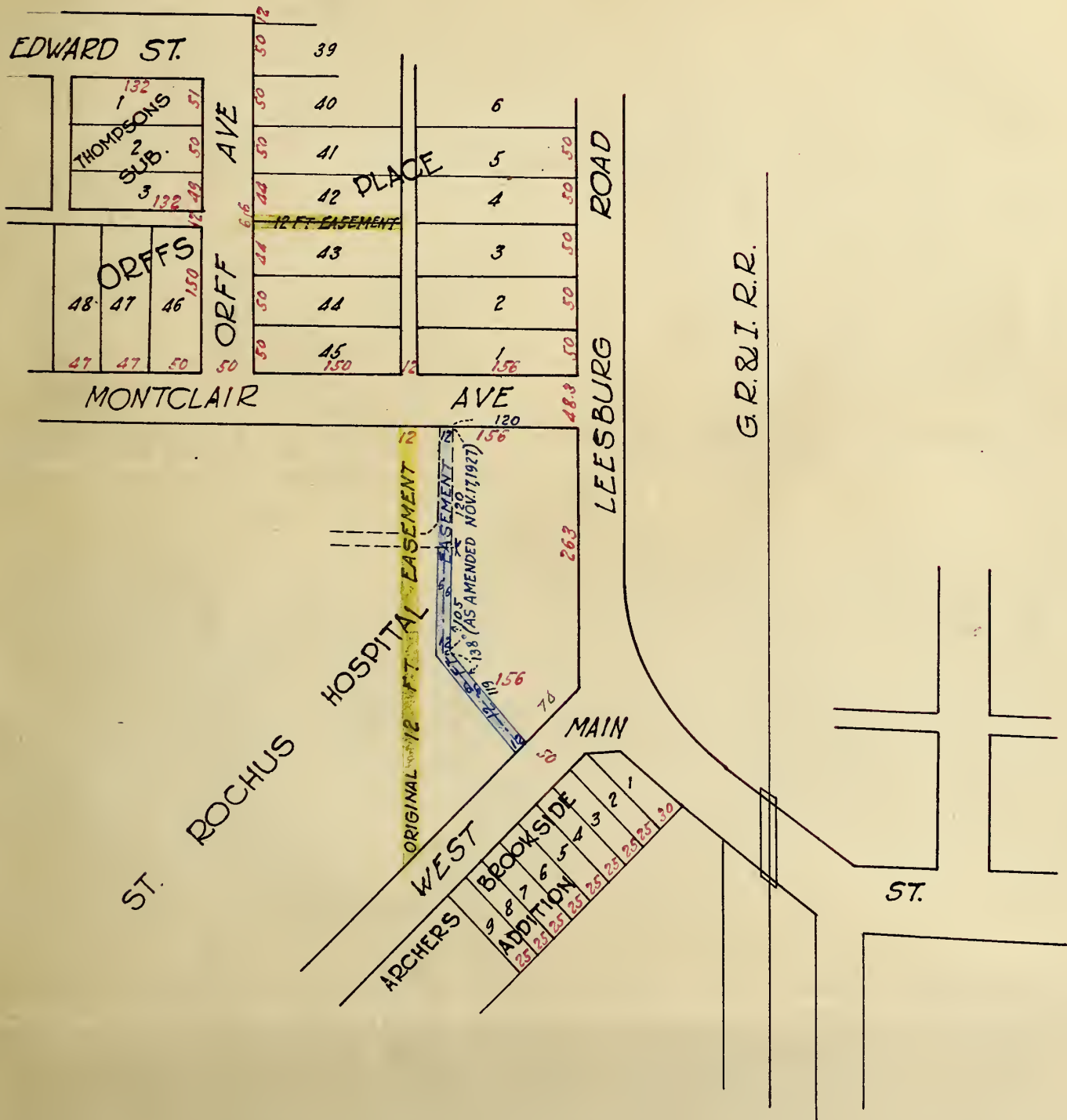
ATTEST:

SECRETARY

BOARD OF PUBLIC WORKS.

PLAN FOR THE CONDEMNING OF A RIGHT-OF-WAY FOR SEWERAGE PURPOSES, ACROSS
THROUGH & UNDER A PORTION OF LOTS 42 & 43 ORFFS PLACE ADDITION, &
ST. ROCHUS HOSPITAL GROUNDS.

DEC. RES. NO 578-1927



I move that Declaratory Resolution Number 578, adopted October 20, 1927 be amended by striking out the words, "the west twelve (12) feet of the east one hundred and sixty-eight (168) feet of that portion of" and that the following words be substituted instead of same, "a strip of land twelve (12) feet in width, the center line of which is described as follows: Beginning at a point on the north line of Main Street approximately seventy (70) feet west of the northwest corner of Main Street and the Leesburg Road (so-called); thence in a northwesterly direction one hundred and nineteen (119) feet to a point one hundred and fifty-one (151) feet west of the center line of the Leesburg Road; thence north parallel with the center line of the Leesburg Road to the south line of Montclair Avenue. Said strip of land being located in,"

And when so amended that this resolution be confirmed.

Amended November 17, 1927 to read: "A strip of land twelve (12) feet in width, the center line of which is described as follows: Beginning at a point on the north line of Main Street approximately seventy (70) feet west of the northwest corner of Main Street and the Leesburg Road (so-called); thence in a northwesterly direction one hundred and nineteen (119) feet to a point one hundred and fifty-one (151) feet west of the center line of the Leesburg Road; thence north parallel with the center line of the Leesburg Road to the south line of Montclair Avenue. Said strip of land being located in,"

